

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.

2006 OCT 13 PM 5:12

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

CLERK *m. Sane*
SO. DIST. OF GA.

JEREMY RAY,

Plaintiff,

vs.

CARL HUMPHREY; RANDALL
HOLDEN; SARA DRAPER;
DERRICK SCHOFIELD, and
JAMES DONALD,

Defendants.

CIVIL ACTION NO.: CV506-022

ORDER

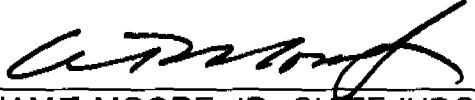
After an independent review of the record, the Court concurs with the Magistrate Judge's Report and Recommendation, to which Objections have been filed. In his Objections, Plaintiff asserts that the requirement that he have a minimum balance in his inmate account places an undue hardship on him. Plaintiff also asserts that, if the Court fails to recognize that Defendants conspired to violate his rights, he should be permitted leave to file an amended Complaint to correct any deficiencies in his pleadings. Plaintiff's Objections are without merit.

Plaintiff also filed a Motion for Leave to File an Amended Complaint. Plaintiff alleges that he discovered the name of a person involved in the conspiracy to violate his constitutional rights. Plaintiff wishes to amend his Complaint by adding this individual as a named Defendant. Plaintiff has failed to set forth facts in his Complaint or Motion sufficient to establish that his constitutional rights have been violated. Without such a

showing, Plaintiff's claim that Defendants conspired to violate his constitutional rights can not be sustained. Plaintiff's Motion for Leave to File an Amended Complaint is **DENIED**.

The Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court. Plaintiff's Complaint is **DISMISSED** for failing to state a claim upon which relief may be granted.

SO ORDERED, this 13th day of OCTOBER, 2006.


WILLIAM T. MOORE, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA